

Aaron Greenspan (*Pro Se*)
956 Carolina Street
San Francisco, CA 94107-3337
Phone: +1 415 670 9350
Fax: +1 415 373 3959
E-Mail: aaron.greenspan@plainsite.org

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AARON GREENSPAN,

Plaintiff,

v.

OMAR QAZI, SMICK ENTERPRISES, INC.,
ELON MUSK, and TESLA, INC.,

Defendants.

Case No. 3:20-cv-03426-JD

**PLAINTIFF'S ADMINISTRATIVE
MOTION TO ENLARGE TIME
FOR FILING FOURTH
AMENDED COMPLAINT
PURSUANT TO L.R. 6-3 AND 7-11**

Judge: Hon. James Donato
TAC Filed: February 12, 2021

Pursuant to Civil Local Rules 6-3 and 7-11, Plaintiff respectfully requests that the deadline to file his fourth amended complaint be extended as described below:

In the Court's June 23, 2021 Order Re Motions To Dismiss And Motion To Strike, ECF No. 125, Plaintiff was granted leave to amend his complaint by July 16, 2021.

According to the present schedule of the Delaware Court of Chancery, beginning July 12, 2021 and scheduled through July 23, 2021, Defendants Tesla, Inc. and Elon Musk (together, "Tesla Defendants") are set to stand trial on those dates in Case No. 12711-VCS, *In Re Tesla Motors, Inc. Stockholder Litigation* (the "Delaware Trial"). The Delaware Trial relates to the acquisition of SolarCity Corporation by Tesla, Inc., and pertains to the present case due to the overlap with certain issues enumerated as part of Plaintiff's securities-related claims. The testimony during and/or outcome of the Delaware Trial may further impact the Court's consideration of Tesla, Inc.'s and Elon Musk's scienter.

Unless the deadline to file Plaintiff's fourth amended complaint is extended beyond July 23, 2021, the filing will need to be submitted in what presently appears to be the middle of the Delaware Trial. This would prejudice Plaintiff, as key information that might need to be included in the revised complaint in order to meet what the Court has described as a "demanding" pleading threshold under the Private Securities Litigation Reform Act (PSLRA) would just miss the cutoff for inclusion. The likely need to submit additional filings later on to make the Court aware of this information would decrease judicial efficacy in a case where the Court has already lamented the number of docket entries.

Tesla Defendants do not object to a short extension of time until July 23, 2021. Counsel for Tesla Defendants wrote to Plaintiff on June 25, 2021 via e-mail stating, "you may represent to the Court that Tesla and Musk do not object to a one week extension to July 23 for you to file your fourth amended complaint." Defendants Omar Qazi and Smick Enterprises, Inc. generally do not object to this request.

Even if the Delaware Trial completes as currently planned on July 23, 2021, it is unclear whether transcript materials will be immediately available and accessible. Therefore, out of an abundance of caution, Plaintiff respectfully requests an extension of time until August 13, 2021 to file his fourth amended complaint.

Dated: July 2, 2021

Respectfully submitted,



Aaron Greenspan
956 Carolina Street
San Francisco, CA 94107-3337
Phone: +1 415 670 9350
Fax: +1 415 373 3959
E-Mail: aaron.greenspan@plainsite.org